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IN THE

Supreme Court of the United States

OCTOBER TERM, 1963.

No. 171

ABRAHAM TEITELBAUM,

Petitioner,

vs.

THE CURTIS PUBLISHING COMPANY,
A CORPORATION,

Respondent.

MOTION FOR LEAVE TO FILE PETITION TO RECONSIDER PETITION FOR CERTIORARI.

ABRAHAM TEITELBAUM,
30 N. La Salle Street,
Chicago 2, Illinois,
Attorney Pro Se, Petitioner.

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THE CURTIS PUBLISHING COMPANY,
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MOTION FOR LEAVE TO FILE PETITION TO RECONSIDER PETITION FOR CERTIORARI.

To the Honorable Chief Justice, and Associated Justices of the Supreme Court of the United States:

Petitioner, Abraham Teitelbaum, is a lawyer, admitted to practice before this Honorable Court since 1931; that he has caused to be printed the following reasons why the Petition for reconsideration of his Petition for Certiorari was submitted for filing one day late with the Clerk of this Honorable Court:

1. The Petition for Certiorari was denied on October 14, 1963.

2. The Petition for Rehearing was prepared by peti-

tioner and given to Gunthorp-Warren Printing Company of Chicago for final printing on November 7, 1963, with the advice to both serve opposing counsel, and also send 40 copies with affidavit of service to the Clerk of this Honorable Court, and which petitioner fully relied upon.

3. The printed material covered only a page and a half, and on November 8, at 5:30 P. M., after business hours, all of the copies were delivered to petitioner's office, with advice that petitioner, himself, should serve the same.

4. Petitioner was then, on November 8, 1963, en route by plane on Flight No. 3, Continental Air Lines, having left Chicago at 4:40 P. M. for Los Angeles, California, where he resides.

5. The following day, petitioner called his office, and upon learning the facts, ordered the same sent to the Honorable Clerk of this Court, which was accomplished one day tardy.

6. The Petition for reconsideration is almost a summary of the grounds for allowing the Petition for Certiorari, and for reasons not completely previously presented.

7. The grounds which additionally give impetus to this petition is the fact that in similar cases, the Saturday Evening Post have been recklessly and maliciously defaming citizens without regard to their rights, and this conduct should not be condoned. Their conduct is common knowledge and is universally abhorred.

8. The matters set forth in the Petition for Reconsideration are as follows:

(1) This case inyolves the Constitutional right of a trial by Jury.

(a) The trial court denied petitioner, a lawyer, the right to address the Jury.

(b) The Trial Judge usurped the function of the Jury by directing the Jury to bring in a verdict for one dollar as damages in a libel suit.

(2) Petitioner is entitled to Freedom from the Press.

(a) Petitioner, a lawyer, and officer of this Honorable Court, was called a "thug" and a "hoodlum" in the Saturday Evening Post, a publication owned by Respondent.

(b) The verdict of not guilty is based on no evidence as to truth or privilege.

(3) Petitioner was denied Due Process of Law based upon technical reasons only.

(a) Decision of the Court of Appeals was not based on the merits of the suit.

(b) Denial of Petitioner's substantive rights, without any foundation in law, is a complete departure of procedure in this Honorable Court.

(c) The rules of evidence were completely ignored to such an extent that the petitioner was denied Due Process of Law.

Therefore, it is the humble opinion of Petitioner, that these vested rights of any citizen are comparable to the right to counsel in a given case, and hence such fundamental rights of this Petitioner should be preserved and protected.

There is nothing more sacred than the proper administration of justice applicable to those rights granted by our forefathers in the Constitution of the United States and by the Bill of Rights incorporated as the Amendments to the Constitution.

Petitioner therefore states that the Petition for Reconsideration, as well as this Petition for Leave to File are presented by himself as petitioner, acting as his own counsel, and are presented in good faith, and not for delay, and that the same is restricted to the grounds above specified.

WHEREFORE, Petitioner prays that the Motion and Petition for Leave to File the Petition for Certiorari be granted.

Respectfully submitted,

ABRAHAM TEITELBAUM,
Attorney Pro Se, Petitioner.

UNITED STATES OF AMERICA,
STATE OF ILLINOIS,
COUNTY OF COOK. } ss.

ABRAHAM TEITELBAUM, being first duly sworn on oath deposes and says that he is the petitioner in the above entitled cause, subscribed to by him; that the matters and things therein set forth are true in substance as well as in fact.

ABRAHAM TEITELBAUM.

SUBSCRIBED and SWORN to before me this 20th day of November, A. D., 1963.

ARTHUR GEORGE,
Notary Public.

(SEAL)

AFFIDAVIT PURSUANT TO RULE 58(2) OF THE SUPREME COURT OF THE UNITED STATES.

UNITED STATES OF AMERICA,
STATE OF ILLINOIS,
COUNTY OF COOK. } ss.

ABRAHAM TEITELBAUM, being first duly sworn on oath deposes and says that he is an attorney at law, duly admitted, since 1931, to practice law before the Supreme Court of the United States; that he is acting as his own counsel in this cause; that the Petition filed for Reconsideration of his Petition for Certiorari is filed in good faith, and not for delay, and that the grounds specified in said Petition have been either overlooked or misinterpreted and same is restricted to the grounds set forth therein.

ABRAHAM TEITELBAUM,
Attorney Pro Se, Petitioner.

SUBSCRIBED and SWORN to before me this 21st day of November, A. D. 1963.

ARTHUR GEORGE,
Notary Public.

(SEAL)